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ELECTRONICALLY FILED BY
 BELDING, HARRIS & PETRONI, LTD.
 ON 2/19/10

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

* * * * *

IN RE:

Case No.: BK-10-50479

Chapter 11

THE HOLDER GROUP RED
 GARTER, LLC, a Nevada limited
 liability company**DEBTOR'S MOTION TO DISMISS
 CHAPTER 11 CASE**

Debtor.

Hrg. DATE:

Hrg. TIME:

Est. Time: 5 minutes

Set By: Judge Zive

17 /
 18 COMES NOW Debtor THE HOLDER GROUP RED GARTER, LLC, a Nevada limited
 19 liability company ("Debtor"), by and through its attorney of record, STEPHEN R. HARRIS, ESQ.,
 20 of BELDING, HARRIS & PETRONI, LTD., and hereby files its DEBTOR'S MOTION TO DISMISS
 21 CHAPTER 11 CASE, and alleges as follows:

22 1. The Debtor filed a voluntary petition for Chapter 11 reorganization relief on February
 23 19, 2010, and since that date, has retained its Debtor-in-Possession status.

25 2. Debtor owns and operates a casino in West Wendover, Nevada, commonly known as
 26 the Red Garter Hotel/Casino.

27 3. The instant Chapter 11 case was filed on February 19, 2010 after negotiations with the
 28 Debtor's largest secured and unsecured creditor, failed. However, at the time of the electronic upload

of the instant Chapter 11 case via ECF, Debtor's counsel encountered various technical difficulties in attempting to file the Voluntary Petition. During the time when Debtor's counsel, through his staff, was struggling to file the Chapter 11 case, the Debtor had decided not to file the Chapter 11 case and instead continue negotiations with its secured and unsecured creditor. However, by the time the negotiations were concluded, a Voluntary Petition had already been filed and a case number assigned, and there was no way to abort the Chapter 11 filing. Accordingly, the Debtor desires at this time to dismiss its Chapter 11 case which was filed in error, before a creditor's meeting is scheduled or any other Chapter 11 administrative proceedings are set.

5. 11 U.S.C. § 1112(b) gives the Court authority to dismiss a case under Chapter 11, upon request of a party in interest and after notice and hearing, if said dismissal is in the best interest of creditors and the estate. The Debtor believes that it is in the best interests of its creditors to dismiss its Voluntary Chapter 11 Petition filed herein for the reasons set forth above.

WHEREFORE, Debtor, THE HOLDER GROUP RED GARTER, LLC, a Nevada limited liability company, requests that the filing of its Voluntary Petition for Chapter 11 relief be set aside and that its petition for relief under Chapter 11 of the Bankruptcy Code be dismissed, without prejudice, as set forth herein; and for such other and further relief as the Court deems just under the circumstances.

DATED this 19th day of February, 2010.

STEPHEN R. HARRIS, ESQ.
BELDING, HARRIS & PETRONI, LTD.
417 W. Plumb Lane
Reno, NV 89509
(775) 786-7600

Attorney for Debtor

VERIFICATION

Under penalties of perjury, the undersigned declares that he is the Manager of THE HOLDER GROUP RED GARTER, LLC, a Nevada limited liability company, named in the foregoing DEBTORS' MOTION TO DISMISS CHAPTER 11 CASE, that he knows the contents thereof; that the contents are true of his own knowledge, except as to those matters stated on information and belief, and that as to such matters he believes them to be true.

Dated this 19th day of February, 2010.

James V. S.

HAROLD HOLDER, SR., Manager
THE HOLDER GROUP RED GARTER, LLC,
a Nevada limited liability company